REMARKS

Claims 17, 18, 20 and 21 remain pending in this application.

Claims 4 and 7-15 were previously withdrawn.

Claims 17, 20 and 21 are in independent form.

The claims have been amended to specifically recite that both free ends of the bag are secured to the header bar at opposite sides of it. Although this feature was already recited in Claim 16 and overlooked by the Examiner, it is now stated in a more detailed manner that clearly distinguishes the claimed structure from the cited prior art. The reinforcing bands are also recited in Claim 21. Support for the amendment may be found in the drawing and on page 7, lines 12-14 and 19-23 of the amended Specification.

Neither Herwood nor O'Connor discloses the securing of both the front and back faces of a bag to a header, each on a side of the header opposite the other.

Moreover, none of the references shows the opening in the upper portion of the header instead of the part being secured to a face of the bag (O'Connor).

Consequently, the rejection for lack of novelty under 35 U.S.C. 102 is no longer appropriate.

The bag in the application, contrary to those disclosed in the references, is intended to be used under very tough conditions. It is to be dangled attached to a board in the back of a truck bed under all kinds of weather conditions. The attachment of both faces to the header, the apertures in the header upper body and the reinforcement of the attachment, besides the choice of material are important features designed to meet the requirements of such a bag. None of these features are suggested by the prior art. The invention exhibits a non-obvious improvement over the prior art in a field where relatively low skill is usually exercised.

In view of which the rejection under 35 U.S.C. 103 is believed to have been overcome.

Respectfully submitted,

John D. Buchaca

Registration No. 37,289

1545 Hotel Circle South, Suite 150 San Diego, California 92108-3426

Date: 4.28.2005

Telephone: (619) 294-2922 Fax No. (619) 294-8674

040205

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April **28**, 2005, by John D. Buchaca, Reg. No. 37,289.

Signature:

9